

The Gazette**of India****EXTRAORDINARY**

PUBLISHED BY AUTHORITY

NEW DELHI, SATURDAY, AUGUST 14, 1948

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

Office of the Chief Commissioner, Delhi

NOTIFICATION*Dated, Delhi, the 10th August, 1948.*

NOTIFICATION A.C.— In pursuance of the Chief Commissioner's Notification No. E.M. 46/46/2/46 dated the 12th March, 1947, I hereby call upon the Members of the local bodies mentioned in the annexed schedule I to elect, in accordance with the instructions laid down in the annexed schedule II, a member (general vacancy) by ballot on a single transferable vote to serve on the Advisory Council for Delhi *vice* Khan Bahadur Sh. Habib-ur-Rehman who has resigned.

By Order,
SHANKER PRASAD
Chief Commissioner, Delhi.

SCHEDULE I.

(Local bodies referred to in the Notification)

Delhi Municipal Committee.

Shahdara Municipal Committee.

Delhi District Board.

SCHEDULE II**INSTRUCTIONS FOR ELECTION OF MEMBER OF THE ADVISORY COUNCIL FOR DELHI.**

The following instructions explain the procedure which should be followed in the holding of elections to fill the vacancy of an elected member of the Advisory Council *vice* Khan Bahadur Habib-ur-Rehman.

1. Mr. S. L. Ahuja, Additional District Magistrate, Delhi, shall be the Returning Officer.

2. Any person shall be eligible for election provided—

(a) that he is a resident of Delhi and is duly nominated by a member of one of the local bodies mentioned in the Annexed Schedule I and seconded by another member of the said local bodies; and

(b) that the nomination is accompanied by a declaration by the candidate that he is willing to serve as a member of the Advisory Council.

3. Only elected members of the local bodies specified in the Schedule are eligible for voting, or for nominating or seconding candidates.

4. All nominations shall be submitted by the proposer, seconder or candidate in person or by Registered post so as to reach the Returning Officer before 11 a.m. on 23rd August, 1948, in the form appended to these instructions.

5. The Returning Officer shall scrutinise the nominations on 24th August 1948, commencing at 11 a.m. in his court and shall reject all nominations that are not in accordance with paragraphs 2 and 3 of these instructions. Candidates may be present.

6. It shall be open to any candidate to withdraw his candidature by intimation in writing to the Returning Officer not later than 11 a.m. on 26th August, 1948.

7. On 6th September, 1948, such members of the local bodies mentioned in the Schedule as are entitled and willing to vote (see paragraph 3 above) shall between the hours of 10 a.m. and 3 p.m. appear before the Returning Officer in his court and on such identification as he considers satisfactory, shall receive from him a ballot paper which he has authenticated. After indicating on the ballot paper his choice the voter will deposit it in a ballot box to be provided for this purpose by the Returning Officer.

8. The Returning Officer will at the conclusion of polling seal and send it to the Chief Commissioner who shall immediately transmit it to the Secretary to the Government of India in the Home Department. Ballot papers will then be examined and counted and the name of elected candidate will be communicated to the Chief Commissioner who shall cause the name of the candidate declared elected to be published in the Gazette of India.

9. If a member of the Advisory Council absents himself without sufficient cause from three consecutive sessions of the Council the Chief Commissioner may declare the Member's seat vacant.

10. A member of the Advisory Council may resign his office by submitting his resignation to the Chief Commissioner and, on the acceptance of the resignation, the seat of the Member concerned shall be declared vacant.

11. (i) When a vacancy occurs in virtue of Rules 9 and 10 above, in the office of an elected Member of the Council, the Chief Commissioner shall notify the vacancy and call upon the constituency to elect a person for the purpose of filling the vacancy in the manner prescribed in the Home Department Notification No. 24/12/46-Public, dated the 8th February, 1947.

(ii) When such a vacancy occurs in the office of a nominated Member of the Council, the seat shall be filled by nomination by the Government of India in the manner prescribed in the Home Department Notification No. 24/12/46-Public, dated the 8th February, 1947.

12. No member of the Council shall take his seat in the Council or any Committee thereof until he has signed his name in the register kept for the purpose at meeting of the Council, or if the Council is not in session, in the presence of President.

13. No election shall be called in question except by an election petition presented in the manner that may be prescribed by the Chief Commissioner.

APPENDIX I

FORM OF BALLOT PAPER

Delhi Advisory Council

INSTRUCTIONS

1. Vote by placing figure 1 in the space opposite the name of candidate whom you choose for your first preference. Though there are more numbers than one to be elected only place the figure 1 opposite the name of one candidate.
2. As regards the other candidates you may indicate your preference by putting in the spaces opposite their names the figure of the order in which you would classify them, *i. e.*, 2, 3, 4, etc. In this way you may show as many preferences as there are candidates to be elected.
3. Do not place more than one figure opposite the name of any candidate.

BACK OF BALLOT PAPER.

Serial No.

APPENDIX II

NOMINATION PAPER

Delhi Advisory Council

Name of Candidate.....

Father's

Husband's Name.....

Address

Name of Proposer.....

Body to which elected.....

Name of seconder.....

Body to which elected.....

DECLARATION BY CANDIDATES.

I hereby agree to this nomination and declare that I am willing to serve as a member of the Advisory Council for Delhi constituted under the Government of India, Home Department Notification No. 24/12/46-Public, dated the 8th February, 1947.

Dated.....

.....
Signature of Candidate.

(To be filled by the Returning Officer).

CERTIFICATE OF DELIVERY

Serial No.....

This nomination paper was delivered to me at my office at.....
(date and hour) by the candidate/propoer/Seconder/registered post.

.....
Returning Officer.

CERTIFICATE OF SCRUTINY

I have scrutinised the eligibility of the candidate, the proposer, and seconder and find that they are respectively qualified to stand for election, to propose and to second the nomination.

Returning Officer.

Dated.....

APPENDIX III.

NOTICE OF WITHDRAWAL

Advisory Council Delhi

I..... of the

Municipality

Board

a candidate nominated for the above election do hereby give the Returning Officer notice that I withdraw my candidature.

Dated

Signature of Candidate.

I....., who subscribed the nomination papers of the above candidate as proposer, agree to his withdrawal of candidature.

.....
Signature of Proposer.

Dated.....

I....., who subscribed the nomination papers of the above candidate as seconder, agree to his withdrawal.

.....
Signature of Seconder.

Dated.....

This notice of withdrawal was delivered to me at my office at.....
.....(date and hour) by the candidate/proposer/seconder/
authorised agent.

.....
Returning Officer.

Dated.....

